

105TH CONGRESS  
1ST SESSION

# H. R. 2629

To establish objectives for negotiating and procedures for implementing  
certain trade agreements.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1997

Mr. MATSUI (for himself, Mr. TANNER, Mr. BERMAN, Mr. MORAN of Virginia,  
and Mr. DAVIS of Florida) introduced the following bill; which was re-  
ferred to the Committee on Ways and Means, and in addition to the  
Committee on Rules, for a period to be subsequently determined by the  
Speaker, in each case for consideration of such provisions as fall within  
the jurisdiction of the committee concerned

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## A BILL

To establish objectives for negotiating and procedures for  
implementing certain trade agreements.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reciprocal Trade  
5 Agreements Act of 1997”.

1 **SEC. 2. TRADE NEGOTIATING OBJECTIVES OF THE UNITED**  
2 **STATES.**

3 (a) STATEMENT OF PURPOSES.—The purposes of  
4 this Act are to achieve, through trade agreements afford-  
5 ing mutual benefits—

6 (1) more open, equitable, and reciprocal market  
7 access for United States goods, services, and invest-  
8 ment;

9 (2) the reduction or elimination of barriers and  
10 other trade-distorting policies and practices;

11 (3) a more effective system of international  
12 trading disciplines and procedures; and

13 (4) economic growth, higher living standards,  
14 and full employment in the United States, and eco-  
15 nomic growth and development among United States  
16 trading partners.

17 (b) PRINCIPAL TRADE NEGOTIATING OBJECTIVES.—  
18 The principal trade negotiating objectives of the United  
19 States for agreements subject to the provisions of section  
20 3 include the following:

21 (1) REDUCTION OF BARRIERS TO TRADE IN  
22 GOODS.—The principal negotiating objective of the  
23 United States regarding barriers to trade in goods  
24 is to obtain competitive opportunities for United  
25 States exports in foreign markets substantially  
26 equivalent to the opportunities afforded foreign ex-

ports to United States markets, including the reduction or elimination of tariff and nontariff trade barriers, including—

(A) tariff and nontariff disparities remaining from previous rounds of multilateral trade negotiations that have put United States exports at a competitive disadvantage in world markets;

(B) measures identified in the annual report prepared under section 181 of the Trade Act of 1974 (19 U.S.C. 2241); and

(C) tariff elimination for products identified in section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)) and the accompanying Statement of Administrative Action related to that section.

(2) TRADE IN SERVICES.—

(A) The principal negotiating objectives of the United States regarding trade in services are—

(i) to reduce or eliminate barriers to, or other distortions of, international trade in services, including regulatory and other barriers that deny national treatment or unreasonably restrict the establishment

1 and operation of service suppliers in for-  
2 eign markets; and

3 (ii) to develop internationally agreed  
4 rules, including dispute settlement proce-  
5 dures, that—

6 (I) are consistent with the com-  
7 mercial policies of the United States,  
8 and

9 (II) will reduce or eliminate such  
10 barriers or distortions, and help en-  
11 sure fair, equitable opportunities for  
12 foreign markets.

13 (B) In pursuing the negotiating objectives  
14 described in subparagraph (A), United States  
15 negotiators shall take into account legitimate  
16 United States domestic objectives, including  
17 protection of legitimate health, safety, essential  
18 security, environmental, consumer, and employ-  
19 ment opportunity interests. The preceding sen-  
20 tence shall not be construed to authorize any  
21 modification of United States law.

22 (3) FOREIGN INVESTMENT.—

23 (A) The principal negotiating objectives of  
24 the United States regarding foreign investment  
25 are—

1 (i) to reduce or eliminate artificial or  
2 trade-distorting barriers to foreign invest-  
3 ment, to expand the principle of national  
4 treatment, and to reduce unreasonable bar-  
5 riers to establishment; and

6 (ii) to develop internationally agreed  
7 rules through the negotiation of investment  
8 agreements, including dispute settlement  
9 procedures, that—

10 (I) will help ensure a free flow of  
11 foreign investment, and

12 (II) will reduce or eliminate the  
13 trade distortive effects of certain  
14 trade-related investment measures.

15 (B) In pursuing the negotiating objectives  
16 described in subparagraph (A), United States  
17 negotiators shall take into account legitimate  
18 United States domestic objectives, including  
19 protection of legitimate health, safety, essential  
20 security, environmental, consumer, and employ-  
21 ment opportunity interests. The preceding sen-  
22 tence shall not be construed to authorize any  
23 modification of United States law.

1           (4) INTELLECTUAL PROPERTY.—The principal  
2       negotiating objectives of the United States regarding  
3       intellectual property are—

4           (A) to further promote adequate and effective  
5       protection of intellectual property rights,  
6       by—

7           (i) seeking the enactment and effective  
8       enforcement by foreign countries of  
9       laws that—

10           (I) recognize and adequately protect  
11       intellectual property, including  
12       copyrights, patents, trademarks, semiconductor  
13       chip layout designs, and  
14       trade secrets, and

15           (II) provide protection against  
16       unfair competition;

17           (ii) accelerating and ensuring the full  
18       implementation of the Agreement on  
19       Trade-Related Aspects of Intellectual  
20       Property Rights referred to in section  
21       101(d)(15) of the Uruguay Round Agree-  
22       ments Act (19 U.S.C. 3511(d)(15)), and  
23       achieving improvements in the standards  
24       of that Agreement;

1 (iii) providing strong protection for  
2 new and emerging technologies and new  
3 methods of transmitting and distributing  
4 products embodying intellectual property;

5 (iv) preventing or eliminating dis-  
6 crimination with respect to matters affect-  
7 ing the availability, acquisition, scope,  
8 maintenance, use, and enforcement of in-  
9 tellectual property rights; and

10 (v) providing for strong enforcement  
11 of intellectual property rights through ac-  
12 cessible, expeditious, and effective civil, ad-  
13 ministrative, and criminal enforcement  
14 mechanisms;

15 (B) to secure fair, equitable, and non-  
16 discriminatory market access opportunities for  
17 United States persons that rely on intellectual  
18 property protection; and

19 (C) to recognize that the inclusion in the  
20 WTO of—

21 (i) adequate and effective substantive  
22 norms and standards for the protection  
23 and enforcement of intellectual property  
24 rights, and

1 (ii) dispute settlement provisions and  
2 enforcement procedures,  
3 is without prejudice to other complementary ini-  
4 tiatives undertaken in other international orga-  
5 nizations.

6 (5) AGRICULTURE.—The principal negotiating  
7 objectives of the United States with respect to agri-  
8 culture are, in addition to those set forth in section  
9 1123(b) of the Food Security Act of 1985 (7 U.S.C.  
10 1736r(b)), to achieve, on an expedited basis to the  
11 maximum extent feasible, more open and fair condi-  
12 tions of trade in agricultural commodities by—

13 (A) developing, strengthening, and clarify-  
14 ing rules for agricultural trade, including dis-  
15 ciplines on restrictive or trade-distorting import  
16 and export practices such as those that would  
17 impact perishable or cyclical products;

18 (B) increasing United States agricultural  
19 exports by eliminating barriers to trade (includ-  
20 ing transparent and nontransparent barriers)  
21 and reducing or eliminating the subsidization of  
22 agricultural production consistent with the  
23 United States policy of agricultural stabilization  
24 in cyclical and unpredictable markets;



1 (C) creating a free and more open world  
2 agricultural trading system by resolving ques-  
3 tions pertaining to export and other trade-dis-  
4 torting subsidies, market pricing, and market  
5 access;

6 (D) eliminating or reducing substantially  
7 other specific constraints to fair trade and more  
8 open market access, such as tariffs, quotas, and  
9 other nontariff practices; and

10 (E) developing, strengthening, and clarify-  
11 ing rules that address practices that unfairly  
12 decrease United States market access opportu-  
13 nities or distort agricultural markets to the det-  
14 riment of the United States, including—

15 (i) unfair or trade-distorting activities  
16 of state trading enterprises and other ad-  
17 ministrative mechanisms, including lack of  
18 price transparency;

19 (ii) unjustified restrictions or commer-  
20 cial requirements affecting new tech-  
21 nologies, including biotechnology;

22 (iii) unjustified sanitary or  
23 phytosanitary restrictions;

24 (iv) other unjustified technical bar-  
25 riers to trade; and

1 (v) restrictive rules in the administra-  
2 tion of tariff-rate quotas.

3 (6) UNFAIR TRADE PRACTICES.—The principal  
4 negotiating objectives of the United States with re-  
5 spect to unfair trade practices are—

6 (A) to enhance the operation and effective-  
7 ness of the relevant Uruguay Round Agree-  
8 ments and any other agreements designed to  
9 define, deter, discourage the persistent use of,  
10 and otherwise discipline, unfair trade practices  
11 having adverse trade effects, including forms of  
12 subsidy and dumping not adequately dis-  
13 ciplined, such as resource input subsidies, diver-  
14 sionary dumping, dumped or subsidized inputs,  
15 third country dumping, circumvention of anti-  
16 dumping or countervailing duty orders, and ex-  
17 port targeting practices; and

18 (B) to obtain the enforcement of WTO  
19 rules against—

20 (i) trade-distorting practices of state  
21 trading enterprises, and

22 (ii) the acts, practices, or policies of  
23 any foreign government which, as a prac-  
24 tical matter, unreasonably require that—

1 (I) substantial direct investment  
2 in the foreign country be made,  
3 (II) intellectual property be li-  
4 censed to the foreign country or to  
5 any firm of the foreign country, or  
6 (III) other collateral concessions  
7 be made,  
8 as a condition for the importation of any  
9 product or service of the United States  
10 into the foreign country or as a condition  
11 for carrying on business in the foreign  
12 country.

13 (7) SAFEGUARDS.—The principal negotiating  
14 objectives of the United States regarding safeguards  
15 are—

16 (A) to improve and expand rules and pro-  
17 cedures covering safeguard measures;

18 (B) to ensure that safeguard measures  
19 are—

20 (i) transparent,

21 (ii) temporary,

22 (iii) degressive, and

23 (iv) subject to review and termination  
24 when no longer necessary to remedy injury  
25 and to facilitate adjustment; and

1 (C) to require notification of, and to mon-  
2 itor the use by, WTO members of import relief  
3 actions for their domestic industries.

4 (8) IMPROVEMENT OF THE WTO AND MULTI-  
5 LATERAL TRADE AGREEMENTS.—The principal ne-  
6 gotiating objectives of the United States regarding  
7 the improvement of the WTO and other multilateral  
8 trade agreements are—

9 (A) to improve the operation and extend  
10 the coverage of the WTO and such agreements  
11 to products, sectors, and conditions of trade not  
12 adequately covered; and

13 (B) to expand country participation in par-  
14 ticular agreements, where appropriate.

15 (9) DISPUTE SETTLEMENT.—The principal ne-  
16 gotiating objectives of the United States with respect  
17 to dispute settlement are—

18 (A) to provide for effective and expeditious  
19 dispute settlement mechanisms and procedures  
20 in any trade agreement entered into under this  
21 authority; and

22 (B) to ensure that such mechanisms within  
23 the WTO and agreements concluded under the  
24 auspices of the WTO provide for more effective

1           and expeditious resolution of disputes and en-  
2           able better enforcement of United States rights.

3           (10) TRANSPARENCY.—The principal negotiat-  
4           ing objective of the United States regarding trans-  
5           parency is to obtain broader application of the prin-  
6           ciple of transparency through increased public access  
7           to information regarding trade issues, clarification of  
8           the costs and benefits of trade policy actions, and  
9           the observance of open and equitable procedures by  
10          United States trading partners and within the WTO.

11          (11) DEVELOPING COUNTRIES.—The principal  
12          negotiating objectives of the United States regarding  
13          developing countries are—

14                (A) to ensure that developing countries  
15                promote economic development by assuming the  
16                fullest possible measure of responsibility for  
17                achieving and maintaining an open inter-  
18                national trading system by providing reciprocal  
19                benefits and assuming equivalent obligations  
20                with respect to their import and export prac-  
21                tices; and

22                (B) to establish procedures for reducing  
23                nonreciprocal trade benefits for the more ad-  
24                vanced developing countries.

1           (12) CURRENT ACCOUNT SURPLUSES.—The  
2       principal negotiating objective of the United States  
3       regarding current account surpluses is to promote  
4       policies to address large and persistent global cur-  
5       rent account imbalances of countries (including im-  
6       balances which threaten the stability of the inter-  
7       national trading system), by imposing greater re-  
8       sponsibility on such countries to undertake policy  
9       changes aimed at restoring current account equi-  
10      librium through expedited implementation of trade  
11      agreements where feasible and appropriate.

12           (13) ACCESS TO HIGH TECHNOLOGY.—

13           (A) The principal negotiating objective of  
14      the United States regarding access to high  
15      technology is to obtain the elimination or reduc-  
16      tion of foreign barriers to, and acts, policies, or  
17      practices by foreign governments which limit,  
18      equitable access by United States persons to  
19      foreign-developed technology, including barriers,  
20      acts, policies, or practices which have the effect  
21      of—

22                   (i) restricting the participation of  
23      United States persons in government-sup-  
24      ported research and development projects;

1 (ii) denying equitable access by Unit-  
2 ed States persons to government-held pat-  
3 ents;

4 (iii) requiring the approval of govern-  
5 ment entities, or imposing other forms of  
6 government intervention, as a condition of  
7 granting licenses to United States persons  
8 by foreign persons (other than approval  
9 which may be necessary for national secu-  
10 rity purposes to control the export of criti-  
11 cal military technology); and

12 (iv) otherwise denying equitable access  
13 by United States persons to foreign-devel-  
14 oped technology or contributing to the in-  
15 equitable flow of technology between the  
16 United States and its trading partners.

17 (B) In pursuing the negotiating objective  
18 described in subparagraph (A), the United  
19 States negotiators shall take into account Unit-  
20 ed States Government policies in licensing or  
21 otherwise making available to foreign persons  
22 technology and other information developed by  
23 United States laboratories.

24 (14) BORDER TAXES.—The principal negotiat-  
25 ing objective of the United States regarding border

1 taxes is, within the WTO, to obtain a revision of the  
2 treatment of border adjustments for internal taxes  
3 in order to redress the disadvantage to countries  
4 that rely primarily on direct taxes rather than indi-  
5 rect taxes for revenue.

6 (15) REGULATORY COMPETITION.—The prin-  
7 cipal trade negotiating objectives of the United  
8 States regarding the use of government regulation or  
9 other practices by foreign governments to provide a  
10 competitive advantage to their domestic producers,  
11 service providers, or investors and thereby reduce  
12 market access for United States goods, services, and  
13 investment are—

14 (A) to ensure that government regulation  
15 and other government practices do not unfairly  
16 discriminate against United States goods, serv-  
17 ices, or investment; and

18 (B) to prevent the use of foreign govern-  
19 ment regulation and other government prac-  
20 tices, including the lowering of, or derogation  
21 from, existing labor (including child labor),  
22 health and safety, or environmental standards,  
23 for the purpose of attracting investment or in-  
24 hibiting United States exports.



1        Nothing in subparagraph (B) shall be construed to  
2        authorize in an implementing bill, or in an agree-  
3        ment subject to an implementing bill, the inclusion  
4        of provisions that would restrict the autonomy of the  
5        United States in these areas.

6        (c) INTERNATIONAL ECONOMIC POLICY OBJECTIVES  
7        DESIGNED TO REINFORCE THE TRADE AGREEMENTS  
8        PROCESS.—

9                (1) IN GENERAL.—It is the policy of the United  
10       States to reinforce the trade agreements process  
11       by—

12                (A) fostering stability in international cur-  
13       rency markets and developing mechanisms to  
14       assure greater coordination, consistency, and  
15       cooperation between international trade and  
16       monetary systems and institutions in order to  
17       protect against the trade consequences of sig-  
18       nificant and unanticipated currency movements;

19                (B) supplementing and strengthening  
20       standards for protection of intellectual property  
21       rights under conventions designed to protect  
22       such rights that are administered by inter-  
23       national organizations other than the WTO, ex-  
24       panding the conventions to cover new and  
25       emerging technologies, and eliminating discrimi-

1 nation and unreasonable exceptions or pre-  
2 conditions to such protection;

3 (C) promoting respect for workers' rights,  
4 by—

5 (i) reviewing the relationship between  
6 workers' rights and the operation of inter-  
7 national trading systems and specific trade  
8 arrangements; and

9 (ii) seeking to establish in the Inter-  
10 national Labor Organization (referred to in  
11 this Act as the "ILO") a mechanism for  
12 the systematic examination of, and report-  
13 ing on, the extent to which ILO members  
14 promote and enforce the freedom of asso-  
15 ciation, the right to organize and bargain  
16 collectively, a prohibition on the use of  
17 forced labor, a prohibition on exploitative  
18 child labor, and a prohibition on discrimi-  
19 nation in employment; and

20 (D) expanding the production of goods and  
21 trade in goods and services to ensure the opti-  
22 mal use of the world's resources, while seeking  
23 to protect and preserve the environment and to  
24 enhance the international means for doing so.

1           (2) APPLICATION OF PROCEDURES.—Nothing  
 2           in this subsection shall be construed to authorize the  
 3           use of the trade agreement approval procedures de-  
 4           scribed in section 3 to modify United States law.

5 **SEC. 3. TRADE AGREEMENT NEGOTIATING AUTHORITY.**

6           (a) AGREEMENTS REGARDING TARIFF BARRIERS.—

7           (1) IN GENERAL.—Whenever the President de-  
 8           termines that 1 or more existing duties or other im-  
 9           port restrictions of any foreign country or the Unit-  
 10          ed States are unduly burdening and restricting the  
 11          foreign trade of the United States and that the pur-  
 12          poses, policies, and objectives of this Act will be pro-  
 13          moted thereby, the President—

14                 (A) may enter into trade agreements with  
 15                 foreign countries before—

16                         (i) October 1, 2001, or

17                         (ii) October 1, 2005, if the authority  
 18                         provided by this Act is extended under  
 19                         subsection (c); and

20                 (B) may, consistent with paragraphs (2)  
 21                 through (5), proclaim—

22                         (i) such modification or continuance  
 23                         of any existing duty,

24                         (ii) such continuance of existing duty-  
 25                         free or excise treatment, or

1 (iii) such additional duties,  
2 as the President determines to be required or  
3 appropriate to carry out any such trade agree-  
4 ment.

5 (2) LIMITATIONS.—No proclamation may be  
6 made under paragraph (1) that—

7 (A) reduces any rate of duty (other than a  
8 rate of duty that does not exceed 5 percent ad  
9 valorem on the date of enactment of this Act)  
10 to a rate which is less than 50 percent of the  
11 rate of such duty that applies on such date of  
12 enactment;

13 (B) provides for a reduction of duty on an  
14 article to take effect on a date that is more  
15 than 10 years after the first reduction that is  
16 proclaimed to carry out a trade agreement with  
17 respect to such article; or

18 (C) increases any rate of duty above the  
19 rate that applied on the date of enactment of  
20 this Act.

21 (3) AGGREGATE REDUCTION; EXEMPTION FROM  
22 STAGING.—

23 (A) AGGREGATE REDUCTION.—Except as  
24 provided in subparagraph (B), the aggregate re-  
25 duction in the rate of duty on any article which

1 is in effect on any day pursuant to a trade  
2 agreement entered into under paragraph (1)  
3 shall not exceed the aggregate reduction which  
4 would have been in effect on such day if—

5 (i) a reduction of 3 percent ad valo-  
6 rem or a reduction of one-tenth of the total  
7 reduction, whichever is greater, had taken  
8 effect on the effective date of the first re-  
9 duction proclaimed under paragraph (1) to  
10 carry out such agreement with respect to  
11 such article; and

12 (ii) a reduction equal to the amount  
13 applicable under clause (i) had taken effect  
14 at 1-year intervals after the effective date  
15 of such first reduction.

16 (B) EXEMPTION FROM STAGING.—No  
17 staging under subparagraph (A) is required  
18 with respect to a rate reduction that is pro-  
19 claimed under paragraph (1) for an article of a  
20 kind that is not produced in the United States.  
21 The United States International Trade Com-  
22 mission shall advise the President of the iden-  
23 tity of articles that may be exempted from stag-  
24 ing under this subparagraph.

1           (4) ROUNDING.—If the President determines  
2           that such action will simplify the computation of re-  
3           ductions under paragraph (3), the President may  
4           round an annual reduction by the lesser of—

5                   (A) the difference between the reduction  
6                   without regard to this paragraph and the next  
7                   lower whole number; or

8                   (B) one-half of 1 percent ad valorem.

9           (5) OTHER LIMITATIONS.—A rate of duty re-  
10          duction or increase that may not be proclaimed by  
11          reason of paragraph (2) may take effect only if a  
12          provision authorizing such reduction or increase is  
13          included within an implementing bill provided for  
14          under section 5 and that bill is enacted into law.

15          (6) EXPANDED TARIFF PROCLAMATION AU-  
16          THORITY.—

17                   (A) IN GENERAL.—Notwithstanding the  
18                   provisions of paragraphs (1) through (5), before  
19                   October 1, 2001 (or before October 1, 2005, if  
20                   the authority provided by this Act is extended  
21                   under subsection (c)), and subject to the con-  
22                   sultation and layover requirements of section  
23                   115 of the Uruguay Round Agreements Act (19  
24                   U.S.C. 3524) and the notification and consulta-  
25                   tion requirements of section 4(a) of this Act,

1 the President may proclaim the modification of  
2 any duty or staged rate reduction of any duty  
3 set forth in Schedule XX, as defined in section  
4 2(5) of the Uruguay Round Agreements Act, if  
5 the United States has agreed to such modifica-  
6 tion or staged rate reduction in a negotiation  
7 for the reciprocal elimination or harmonization  
8 of duties, within the same tariff categories,  
9 under the auspices of the World Trade Organi-  
10 zation or as part of an interim agreement lead-  
11 ing to the formation of a regional free-trade  
12 area.

13 (B) NOTICE REQUIRED.—The modification  
14 or staged rate reduction authorized under sub-  
15 paragraph (A) with respect to any negotiation  
16 initiated after the date of enactment of this Act  
17 may be proclaimed only on articles in tariff cat-  
18 egories with respect to which the President has  
19 provided notice in accordance with section 4(a).

20 (7) TARIFF MODIFICATIONS UNDER URUGUAY  
21 ROUND AGREEMENTS ACT.—Nothing in this sub-  
22 section shall limit the authority provided to the  
23 President under section 111(b) of the Uruguay  
24 Round Agreements Act.

1 (b) AGREEMENTS REGARDING TARIFF AND NON-  
2 TARIFF BARRIERS.—

3 (1) IN GENERAL.—

4 (A) DETERMINATION BY PRESIDENT.—

5 Whenever the President determines that—

6 (i) any duty or other import restric-  
7 tion imposed by any foreign country or the  
8 United States or any other barrier to, or  
9 other distortion of, international trade—

10 (I) unduly burdens or restricts  
11 the foreign trade of the United States  
12 or adversely affects the United States  
13 economy, or

14 (II) is likely to result in such a  
15 burden, restriction, or effect, and

16 (ii) the purposes, policies, and objec-  
17 tives of this Act will be promoted thereby,  
18 the President may, before October 1, 2001 (or  
19 before October 1, 2005, if the authority pro-  
20 vided under this Act is extended under sub-  
21 section (c)) enter into a trade agreement de-  
22 scribed in subparagraph (B).

23 (B) TRADE AGREEMENT DESCRIBED.—A  
24 trade agreement described in this subparagraph



1 means an agreement with a foreign country  
2 that provides for—

3 (i) the reduction or elimination of  
4 such duty, restriction, barrier, or other dis-  
5 tortion; or

6 (ii) the prohibition of, or limitation on  
7 the imposition of, such barrier or other dis-  
8 tortion.

9 (2) CONDITIONS.—A trade agreement may be  
10 entered into under this subsection only if—

11 (A) such agreement makes progress in  
12 meeting the applicable objectives described in  
13 section 2(b); and

14 (B) the President satisfies the conditions  
15 set forth in section 4 with respect to such  
16 agreement.

17 (3) BILLS QUALIFYING FOR TRADE AGREEMENT  
18 APPROVAL PROCEDURES.—The provisions of section  
19 151 of the Trade Act of 1974 (in this Act referred  
20 to as “trade agreement approval procedures”) apply  
21 to implementing bills submitted with respect to trade  
22 agreements entered into under this subsection, ex-  
23 cept that, for purposes of applying section  
24 151(b)(1), such implementing bills shall contain  
25 only—

1 (A) provisions that approve a trade agree-  
2 ment entered into under this subsection that  
3 achieves one or more of the principal negotiat-  
4 ing objectives set forth in section 2(b) and the  
5 statement of administrative action (if any) pro-  
6 posed to implement such trade agreement;

7 (B) provisions that are—

8 (i) necessary to implement such agree-  
9 ment; or

10 (ii) otherwise related to the implemen-  
11 tation, enforcement, and adjustment to the  
12 effects of such trade agreement and are di-  
13 rectly related to trade; and

14 (C) provisions necessary for purposes of  
15 complying with section 252 of the Balanced  
16 Budget and Emergency Deficit Control Act of  
17 1985 in implementing the applicable trade  
18 agreement.

19 (c) EXTENSION PROCEDURES.—

20 (1) IN GENERAL.—Except as provided in sec-  
21 tion 5(b)—

22 (A) subsections (a) and (b) shall apply  
23 with respect to agreements entered into before  
24 October 1, 2001; and

(B) subsections (a) and (b) shall be extended to apply with respect to agreements entered into on or after October 1, 2001, and before October 1, 2005, if (and only if)—

(i) the President requests such extension under paragraph (2); and

(ii) neither House of Congress adopts an extension disapproval resolution under paragraph (5) before October 1, 2001.

(2) REPORT TO CONGRESS BY THE PRESIDENT.—If the President is of the opinion that the authority under subsections (a) and (b) should be extended, the President shall submit to Congress, not later than July 1, 2001, a written report that contains a request for such extension, together with—

(A) a description of all trade agreements that have been negotiated under subsections (a) and (b) and, where applicable, the anticipated schedule for submitting such agreements to Congress for approval;

(B) a description of the progress that has been made in negotiations to achieve the purposes, policies, and objectives set out in section 2 (a) and (b) of this Act, and a statement that

1           such progress justifies the continuation of nego-  
2           tiations; and

3                   (C) a statement of the reasons why the ex-  
4           tension is needed to complete the negotiations.

5           (3) REPORT TO CONGRESS BY THE ADVISORY  
6           COMMITTEE.—The President shall promptly inform  
7           the Advisory Committee for Trade Policy and Nego-  
8           tiations established under section 135 of the Trade  
9           Act of 1974 (19 U.S.C. 2155) of the President’s de-  
10          cision to submit a report to Congress under para-  
11          graph (2). The Advisory Committee shall submit to  
12          Congress as soon as practicable, but not later than  
13          August 1, 2001, a written report that contains—

14                   (A) its views regarding the progress that  
15           has been made in negotiations to achieve the  
16           purposes, policies, and objectives of this Act;  
17           and

18                   (B) a statement of its views, and the rea-  
19           sons therefor, regarding whether the extension  
20           requested under paragraph (2) should be ap-  
21           proved or disapproved.

22           (4) REPORTS MAY BE CLASSIFIED.—The re-  
23           ports submitted to Congress under paragraphs (2)  
24           and (3), or any portion of the reports, may be classi-

1       fied to the extent the President determines appro-  
2       prium.

3           (5) EXTENSION DISAPPROVAL RESOLUTIONS.—

4           (A) IN GENERAL.—For purposes of this  
5       subsection, the term “extension disapproval res-  
6       olution” means a resolution of either House of  
7       Congress, the sole matter after the resolving  
8       clause of which is as follows: “That the \_\_\_\_  
9       disapproves the request of the President for an  
10      extension, under section 3(c) of the Reciprocal  
11      Trade Agreements Act of 1997, of  
12      \_\_\_\_\_ after September 30,  
13      2001.”, with the first blank space being filled  
14      with the name of the resolving House of Con-  
15      gress and the second blank space being filled  
16      with one or both of the following phrases: “the  
17      tariff proclamation authority provided under  
18      section 3(a) of the Reciprocal Trade Agree-  
19      ments Act of 1997” or “the trade agreement  
20      approval procedures provided under section 3(b)  
21      of the Reciprocal Trade Agreements Act of  
22      1997”.

23          (B) INTRODUCTION AND REFERRAL.—Ex-  
24      tension disapproval resolutions—

1 (i) may be introduced in either House  
2 of Congress by any member of such House;

3 (ii) shall be jointly referred, in the  
4 House of Representatives, to the Commit-  
5 tee on Ways and Means and the Commit-  
6 tee on Rules; and

7 (iii) shall be referred, in the Senate,  
8 to the Committee on Finance.

9 (C) FLOOR CONSIDERATION.—The provi-  
10 sions of sections 152 (d) and (e) of the Trade  
11 Act of 1974 (19 U.S.C. 2192 (d) and (e)) (re-  
12 lating to the floor consideration of certain reso-  
13 lutions in the House and Senate) apply to ex-  
14 tension disapproval resolutions.

15 (D) COMMITTEE ACTION REQUIRED.—It is  
16 not in order for—

17 (i) the Senate to consider any exten-  
18 sion disapproval resolution not reported by  
19 the Committee on Finance;

20 (ii) the House of Representatives to  
21 consider any extension disapproval resolu-  
22 tion not reported by the Committee on  
23 Ways and Means and the Committee on  
24 Rules; or

1 (iii) either House of Congress to con-  
2 sider an extension disapproval resolution  
3 after September 30, 2001.

4 **SEC. 4. NOTICE AND CONSULTATIONS.**

5 (a) NOTICE AND CONSULTATION BEFORE NEGOTIA-  
6 TION.—With respect to any agreement subject to the pro-  
7 visions of section 3 (a) or (b), the President shall—

8 (1) not later than 90 calendar days before initi-  
9 ating negotiations, provide written notice to Con-  
10 gress regarding—

11 (A) the President's intent to initiate the  
12 negotiations;

13 (B) the date the President intends to initi-  
14 ate such negotiations;

15 (C) the specific United States objectives  
16 for the negotiations; and

17 (D) whether the President intends to seek  
18 an agreement or changes to an existing agree-  
19 ment;

20 (2) consult regarding the negotiations—

21 (A) before and promptly after submission  
22 of the notice described in paragraph (1), with  
23 the Committee on Finance of the Senate, the  
24 Committee on Ways and Means of the House of  
25 Representatives, and such other committees of

1 the House and Senate as the President deems  
2 appropriate; and

3 (B) with any other committee that re-  
4 quests consultations in writing; and

5 (3) consult with the appropriate industry sector  
6 advisory groups established under section 135 of the  
7 Trade Act of 1974 before initiating negotiations.

8 (b) CONSULTATION WITH CONGRESS BEFORE  
9 AGREEMENT ENTERED INTO.—

10 (1) CONSULTATION.—Before entering into any  
11 trade agreement under section 3 (a) or (b), the  
12 President shall consult with—

13 (A) the Committee on Ways and Means of  
14 the House of Representatives and the Commit-  
15 tee on Finance of the Senate; and

16 (B) each other committee of the House  
17 and the Senate, and each joint committee of  
18 Congress, which has jurisdiction over legislation  
19 involving subject matters that would be affected  
20 by the trade agreement.

21 (2) SCOPE.—The consultation described in  
22 paragraph (1) shall include consultation with respect  
23 to—

24 (A) the nature of the agreement;



1 (B) how and to what extent the agreement  
2 will achieve the applicable purposes, policies,  
3 and objectives of this Act;

4 (C) where applicable, the implementation  
5 of the agreement under section 5, including  
6 whether the agreement includes subject matter  
7 for which supplemental implementing legislation  
8 may be required which is not subject to trade  
9 agreement approval procedures; and

10 (D) any other agreement the President has  
11 entered into or intends to enter into with the  
12 country or countries in question.

13 (c) ADVISORY COMMITTEE REPORTS.—The report  
14 required under section 135(e)(1) of the Trade Act of 1974  
15 regarding any trade agreement entered into under section  
16 3(b) of this Act shall be provided to the President, Con-  
17 gress, and the United States Trade Representative not  
18 later than 30 calendar days after the date on which the  
19 President notifies Congress under section 5(a)(1)(A) of  
20 the President's intention to enter into the agreement.

21 (d) CONSULTATION BEFORE AGREEMENT INI-  
22 TIALED.—In the course of negotiations conducted under  
23 this Act, the United States Trade Representative shall  
24 consult closely and on a timely basis (including imme-  
25 diately before initialing an agreement) with, and keep fully

1 apprised of the negotiations, the congressional advisers for  
2 trade policy and negotiations appointed under section 161  
3 of the Trade Act of 1974 (19 U.S.C. 2211), the Commit-  
4 tee on Finance of the Senate, and the Committee on Ways  
5 and Means of the House of Representatives.

6 **SEC. 5. IMPLEMENTATION OF TRADE AGREEMENTS.**

7 (a) IN GENERAL.—

8 (1) NOTIFICATION AND SUBMISSION.—Any  
9 agreement entered into under section 3(b) shall  
10 enter into force with respect to the United States if  
11 (and only if)—

12 (A) the President, at least 90 calendar  
13 days before the day on which the President en-  
14 ters into the trade agreement, notifies the  
15 House of Representatives and the Senate of the  
16 President's intention to enter into the agree-  
17 ment, and promptly thereafter publishes notice  
18 of such intention in the Federal Register;

19 (B) within 60 calendar days after entering  
20 into the agreement, the President submits to  
21 Congress a description of those changes to ex-  
22 isting laws that the President considers would  
23 be required in order to bring the United States  
24 into compliance with the agreement;

1 (C) after entering into the agreement, the  
2 President submits a copy of the final legal text  
3 of the agreement, together with—

4 (i) a draft of an implementing bill de-  
5 scribed in section 3(b)(3);

6 (ii) a statement of any administrative  
7 action proposed to implement the trade  
8 agreement; and

9 (iii) the supporting information de-  
10 scribed in paragraph (2); and

11 (D) the implementing bill is enacted into  
12 law.

13 (2) SUPPORTING INFORMATION.—The support-  
14 ing information required under paragraph (1)(C)(iii)  
15 consists of—

16 (A) an explanation as to how the imple-  
17 menting bill and proposed administrative action  
18 will change or affect existing law; and

19 (B) a statement—

20 (i) asserting that the agreement  
21 makes progress in achieving the applicable  
22 purposes, policies, and objectives of this  
23 Act; and

24 (ii) setting forth the reasons of the  
25 President regarding—

1 (I) how and to what extent the  
2 agreement makes progress in achiev-  
3 ing the applicable purposes, policies,  
4 and objectives referred to in clause (i),  
5 and why and to what extent the  
6 agreement does not achieve other ap-  
7 plicable purposes, policies, and objec-  
8 tives;

9 (II) whether and how the agree-  
10 ment changes provisions of an agree-  
11 ment previously negotiated;

12 (III) how the agreement serves  
13 the interests of United States com-  
14 merce;

15 (IV) why the implementing bill  
16 qualifies for trade agreement approval  
17 procedures under section 3(b)(3); and

18 (V) any proposed administrative  
19 action.

20 (3) RECIPROCAL BENEFITS.—To ensure that a  
21 foreign country which receives benefits under a trade  
22 agreement entered into under section 3 (a) or (b) is  
23 subject to the obligations imposed by such agree-  
24 ment, the President shall recommend to Congress in  
25 the implementing bill and statement of administra-

1        tive action submitted with respect to such agreement  
2        that the benefits and obligations of such agreement  
3        apply solely to the parties to such agreement, if such  
4        application is consistent with the terms of such  
5        agreement. The President may also recommend with  
6        respect to any such agreement that the benefits and  
7        obligations of such agreement not apply uniformly to  
8        all parties to such agreement, if such application is  
9        consistent with the terms of such agreement.

10        (b) LIMITATIONS ON TRADE AGREEMENT APPROVAL  
11        PROCEDURES.—

12                (1) DISAPPROVAL OF THE NEGOTIATION.—The  
13        trade agreement approval procedures shall not apply  
14        to any implementing bill that contains a provision  
15        approving any trade agreement that is entered into  
16        under section 3(b) with any foreign country if the  
17        Committee on Finance of the Senate and the Com-  
18        mittee on Ways and Means of the House of Rep-  
19        resentatives disapprove of the negotiation of the  
20        agreement before the close of the 90-calendar-day  
21        period that begins on the date notice is provided  
22        under section 4(a)(1) with respect to the negotiation  
23        of such agreement.

24                (2) FOR LACK OF NOTICE OR CONSULTA-  
25        TIONS.—

1           (A) IN GENERAL.—The trade agreement  
2 approval procedures shall not apply to any im-  
3 plementing bill submitted with respect to a  
4 trade agreement entered into under section 3(b)  
5 if during the 60-day period beginning on the  
6 date that one House of Congress agrees to a  
7 procedural disapproval resolution for lack of no-  
8 tice or consultations with respect to that trade  
9 agreement, the other House separately agrees  
10 to a procedural disapproval resolution with re-  
11 spect to that agreement.

12           (B) PROCEDURAL DISAPPROVAL RESOLU-  
13 TION.—For purposes of this paragraph, the  
14 term “procedural disapproval resolution” means  
15 a resolution of either House of Congress, the  
16 sole matter after the resolving clause of which  
17 is as follows: “That the President has failed or  
18 refused to notify or consult (as the case may  
19 be) with Congress in accordance with sections 4  
20 and 5 of the Reciprocal Trade Agreements Act  
21 of 1997 with respect to \_\_\_\_ and, therefore, the  
22 trade agreement approval procedures set forth  
23 in section 3(b) of that Act shall not apply to  
24 any implementing bill submitted with respect to  
25 that trade agreement.”, with the blank space

1 being filled with a description of the trade  
2 agreement with respect to which the President  
3 is considered to have failed or refused to notify  
4 or consult.

5 (C) COMPUTATION OF CERTAIN PERIODS  
6 OF TIME.—The 60-day period of time described  
7 in subparagraph (A) shall be computed without  
8 regard to—

9 (i) the days on which either House of  
10 Congress is not in session because of an  
11 adjournment of more than 3 days to a day  
12 certain or an adjournment of the Congress  
13 sine die; and

14 (ii) any Saturday and Sunday, not ex-  
15 cluded under clause (i), when either House  
16 of Congress is not in session.

17 (3) PROCEDURES FOR CONSIDERING PROCE-  
18 DURAL DISAPPROVAL RESOLUTIONS.—

19 (A) PROCEDURAL DISAPPROVAL RESOLU-  
20 TIONS.—Procedural disapproval resolutions—

21 (i) in the House of Representatives—

22 (I) shall be introduced by the  
23 chairman or ranking minority member  
24 of the Committee on Ways and Means

1 or the chairman or ranking minority  
2 member of the Committee on Rules;

3 (II) shall be jointly referred to  
4 the Committee on Ways and Means  
5 and the Committee on Rules; and

6 (III) may not be amended by ei-  
7 ther Committee; and

8 (ii) in the Senate shall be original res-  
9 olutions of the Committee on Finance.

10 (B) FLOOR CONSIDERATION.—The provi-  
11 sions of section 152 (d) and (e) of the Trade  
12 Act of 1974 (19 U.S.C. 2192 (d) and (e)) (re-  
13 lating to the floor consideration of certain reso-  
14 lutions in the House and Senate) apply to pro-  
15 cedural disapproval resolutions.

16 (C) COMMITTEE ACTION REQUIRED.—

17 (i) HOUSE OF REPRESENTATIVES.—It  
18 is not in order for the House of Represent-  
19 atives to consider any procedural dis-  
20 approval resolution not reported by the  
21 Committee on Ways and Means and the  
22 Committee on Rules.

23 (ii) SENATE.—It is not in order for  
24 the Senate to consider any procedural dis-



1 approval resolution not reported by the  
2 Committee on Finance.

3 (c) RULES OF HOUSE OF REPRESENTATIVES AND  
4 SENATE.—Subsection (b) of this section and section 3(c)  
5 are enacted by Congress—

6 (1) as an exercise of the rulemaking power of  
7 the House of Representatives and the Senate, re-  
8 spectively, and as such are deemed a part of the  
9 rules of each House, respectively, and such proce-  
10 dures supersede other rules only to the extent that  
11 they are inconsistent with such other rules; and

12 (2) with the full recognition of the constitu-  
13 tional right of either House to change the rules (so  
14 far as relating to the procedures of that House) at  
15 any time, in the same manner, and to the same ex-  
16 tent as any other rule of that House.

17 **SEC. 6. TREATMENT OF CERTAIN TRADE AGREEMENTS.**

18 (a) IN GENERAL.—Notwithstanding section  
19 3(a)(6)(B) and section 3(b)(2), the provisions of section  
20 4(a) shall not apply with respect to agreements that result  
21 from—

22 (1) negotiations under the auspices of the  
23 World Trade Organization regarding trade in infor-  
24 mation technology products;

1           (2) negotiations or work programs initiated  
 2           pursuant to a Uruguay Round Agreement, as de-  
 3           fined in section 2 of the Uruguay Round Agree-  
 4           ments Act; or

5           (3) negotiations with Chile,  
 6           that were commenced before the date of enactment of this  
 7           Act, and the applicability of trade agreement approval pro-  
 8           cedures with respect to such agreements shall be deter-  
 9           mined without regard to the requirements of section 4(a).

10          (b) **PROCEDURAL DISAPPROVAL RESOLUTION NOT**  
 11 **IN ORDER.**—A procedural disapproval resolution under  
 12 section 5(b) shall not be in order with respect to an agree-  
 13 ment described in subsection (a) of this section based on  
 14 a failure or refusal to comply with section 4(a).

15 **SEC. 7. CONFORMING AMENDMENTS.**

16          (a) **IN GENERAL.**—Title I of the Trade Act of 1974  
 17 (19 U.S.C. 2111 et seq.) is amended as follows:

18           (1) **IMPLEMENTING BILL.**—

19                   (A) Section 151(b)(1) (19 U.S.C.  
 20 2191(b)(1)) is amended—

21                           (i) by striking “section 1103(a)(1) of  
 22 the Omnibus Trade and Competitiveness  
 23 Act of 1988, or section 282 of the Uru-  
 24 guay Round Agreements Act” and insert-  
 25 ing “section 282 of the Uruguay Round

1                   Agreements Act, or section 5(a)(1) of the  
 2                   Reciprocal Trade Agreements Act of  
 3                   1997”; and

4                   (ii) by adding after subparagraph (C)  
 5                   the following flush sentence:

6                   “For purposes of applying this paragraph to imple-  
 7                   menting bills submitted with respect to trade agree-  
 8                   ments entered into under section 3(b) of the Recip-  
 9                   rocal Trade Agreements Act of 1997, subparagraphs  
 10                  (A), (B), and (C) of section 3(b)(3) of such Act shall  
 11                  be substituted for subparagraphs (A), (B), and (C)  
 12                  of this paragraph.”.

13                  (B) Section 151(c)(1) (19 U.S.C.  
 14                  2191(c)(1)) is amended by striking “or section  
 15                  282 of the Uruguay Round Agreements Act”  
 16                  and inserting “, section 282 of the Uruguay  
 17                  Round Agreements Act, or section 5(a)(1) of  
 18                  the Reciprocal Trade Agreements Act of 1997”.

19                  (2) ADVICE FROM INTERNATIONAL TRADE COM-  
 20                  MISSION.—Section 131 (19 U.S.C. 2151) is amend-  
 21                  ed—

22                  (A) in subsection (a)—

23                         (i) in paragraph (1), by striking “sec-  
 24                         tion 123 of this Act or section 1102 (a) or  
 25                         (c) of the Omnibus Trade and Competitive-

1           ness Act of 1988,” and inserting “section  
2           123 of this Act or section 3 (a) or (b) of  
3           the Reciprocal Trade Agreements Act of  
4           1997,”; and

5           (ii) in paragraph (2), by striking “sec-  
6           tion 1102 (b) or (c) of the Omnibus Trade  
7           and Competitiveness Act of 1988” and in-  
8           serting “section 3(b) of the Reciprocal  
9           Trade Agreements Act of 1997”;

10          (B) in subsection (b), by striking “section  
11          1102(a)(3)(A)” and inserting “section  
12          3(a)(3)(A) of the Reciprocal Trade Agreements  
13          Act of 1997” before the end period; and

14          (C) in subsection (c), by striking “section  
15          1102 of the Omnibus Trade and Competitive-  
16          ness Act of 1988,” and inserting “section 3 of  
17          the Reciprocal Trade Agreements Act of  
18          1997,”.

19          (3) HEARINGS AND ADVICE.—Sections 132,  
20          133(a), and 134(a) (19 U.S.C. 2152, 2153(a), and  
21          2154(a)) are each amended by striking “section  
22          1102 of the Omnibus Trade and Competitiveness  
23          Act of 1988,” each place it appears and inserting  
24          “section 3 of the Reciprocal Trade Agreements Act  
25          of 1997,”.

1           (4) PREREQUISITES FOR OFFERS.—Section  
2       134(b) (19 U.S.C. 2154(b)) is amended by striking  
3       “section 1102 of the Omnibus Trade and Competi-  
4       tiveness Act of 1988” and inserting “section 3 of the  
5       Reciprocal Trade Agreements Act of 1997”.

6           (5) ADVICE FROM PRIVATE AND PUBLIC SEC-  
7       TORS.—Section 135 (19 U.S.C. 2155) is amended—

8           (A) in subsection (a)(1)(A), by striking  
9       “section 1102 of the Omnibus Trade and Com-  
10      petitiveness Act of 1988” and inserting “section  
11      3 of the Reciprocal Trade Agreements Act of  
12      1997”;

13          (B) in subsection (e)(1)—

14           (i) by striking “section 1102 of the  
15      Omnibus Trade and Competitiveness Act  
16      of 1988” each place it appears and insert-  
17      ing “section 3 of the Reciprocal Trade  
18      Agreements Act of 1997”; and

19           (ii) by striking “section 1103(a)(1)(A)  
20      of such Act of 1988” and inserting “sec-  
21      tion 5(a)(1)(A) of the Reciprocal Trade  
22      Agreements Act of 1997”; and

23          (C) in subsection (e)(2), by striking “the  
24      applicable overall and principal negotiating ob-  
25      jectives set forth in section 1101 of the Omni-

1           bus Trade and Competitiveness Act of 1988”  
2           and inserting “the purposes, policies, and objec-  
3           tives set forth in section 2 (a) and (b) of the  
4           Reciprocal Trade Agreements Act of 1997”.

5           (6) TRANSMISSION OF AGREEMENTS TO CON-  
6           GRESS.—Section 162(a) (19 U.S.C. 2212(a)) is  
7           amended by striking “or under section 1102 of the  
8           Omnibus Trade and Competitiveness Act of 1988”  
9           and inserting “or under section 3 of the Reciprocal  
10          Trade Agreements Act of 1997”.

11          (b) APPLICATION OF CERTAIN PROVISIONS.—For  
12          purposes of applying sections 125, 126, and 127 of the  
13          Trade Act of 1974 (19 U.S.C. 2135, 2136(a), and  
14          2137)—

15               (1) any trade agreement entered into under sec-  
16          tion 3 shall be treated as an agreement entered into  
17          under section 101 or 102, as appropriate, of the  
18          Trade Act of 1974 (19 U.S.C. 2111 or 2112); and

19               (2) any proclamation or Executive order issued  
20          pursuant to a trade agreement entered into under  
21          section 3 shall be treated as a proclamation or Exec-  
22          utive order issued pursuant to a trade agreement en-  
23          tered into under section 102 of the Trade Act of  
24          1974.

1 **SEC. 8. TRADE ADJUSTMENT ASSISTANCE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—

3 (1) IN GENERAL.—Section 245 of the Trade  
4 Act of 1974 (19 U.S.C. 2317) is amended—

5 (A) in subsection (a), by striking “1993,  
6 1994, 1995, 1996, 1997, and” and inserting  
7 “1999, and 2000,” after “1998,”; and

8 (B) in subsection (b), by striking “1994,  
9 1995, 1996, 1997, and” and inserting “1999,  
10 and 2000,” after “1998.”.

11 (2) ASSISTANCE FOR FIRMS.—Section 256(b) of  
12 the Trade Act of 1974 (19 U.S.C. 2346(b)) is  
13 amended by striking “1993, 1994, 1995, 1996,  
14 1997, and” and inserting “, 1999, and 2000,” after  
15 “1998”.

16 (b) TERMINATION.—Section 285(c) of the Trade Act  
17 of 1974 (19 U.S.C. 2271 note preceding) is amended—

18 (1) in paragraph (1), by striking “1998” and  
19 inserting “2000”; and

20 (2) in paragraph (2)(A), by striking “the day  
21 that is” and all that follows through “effective” and  
22 inserting “September 30, 2000”.

23 **SEC. 9. FEES FOR CERTAIN CUSTOMS SERVICES.**

24 Section 13031(b)(1)(C) of the Consolidated Omnibus  
25 Budget Reconciliation Act of 1985 (19 U.S.C.  
26 58c(b)(1)(C)) is amended by striking “to fiscal years” and

1 all that follows through “1997” and inserting “before Sep-  
2 tember 1, 1998”.

3 **SEC. 10. DEFINITIONS.**

4 In this Act:

5 (1) **DISTORTION.**—The term “distortion” in-  
6 cludes, but is not limited to, a subsidy.

7 (2) **TRADE.**—The term “trade” includes, but is  
8 not limited to—

9 (A) trade in both goods and services; and

10 (B) foreign investment by United States  
11 persons, especially if such investment has impli-  
12 cations for trade in goods and services.

13 (3) **URUGUAY ROUND AGREEMENTS.**— The  
14 term “Uruguay Round Agreements” has the mean-  
15 ing given such term in section 2(7) of the Uruguay  
16 Round Agreements Act (19 U.S.C. 3501(7)).

17 (4) **WORLD TRADE ORGANIZATION.**—The term  
18 “World Trade Organization” means the organization  
19 established pursuant to the WTO Agreement.

20 (5) **WTO AGREEMENT.**—The term “WTO  
21 Agreement” means the Agreement Establishing the  
22 World Trade Organization entered into on April 15,  
23 1994.

24 (6) **WTO AND WTO MEMBER.**—The terms  
25 “WTO” and “WTO member” have the meanings



- 1       given those terms in section 2 of the Uruguay
- 2       Round Agreements Act (19 U.S.C. 3501).

